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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

20 JAMES L. LOUSHIN,
21 Plaintiff,
22 v.
23 HOME DEPOT U.S.A., INC., a
24 Delaware corporation; and DOES 1
through 20,
25 Defendants.

Case No. C11-00596 MEJ
The Hon. Maria-Elena James, Presiding
**STIPULATION AND [PROPOSED]
ORDER RE DISMISSAL OF
ACTION WITH PREJUDICE**

1 Plaintiff James L. Loushin (“Plaintiff”) and Defendant Home Depot U.S.A.,
2 Inc., by and through their respective counsel of record, hereby jointly stipulate to and
3 request the dismissal of the above-entitled action, with prejudice, pursuant to
4 Rule 41(a)(1) of the Federal Rules of Civil Procedure. Additionally, Plaintiff
5 requests that Plaintiff’s complaint be dismissed in its entirety with prejudice, with the
6 parties to bear their own costs and expenses.

7 IT IS SO STIPULATED.

8 Dated: June 17, 2011

**OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.**

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By: /s/ Elizabeth A. Falcone
Andrew J. Jaramillo
Elizabeth A. Falcone
Micah D. Fargey

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Attorneys for Defendant
THE HOME DEPOT U.S.A., INC.

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Dated: June 17, 2011

CYNTHIA A. BROWNING

By: /s/ Cynthia A. Browning
Cynthia A. Browning

Attorney for Plaintiff
JAMES L. LOUSHIN

PROPOSED ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and for good cause shown, this action is hereby dismissed with prejudice, with each party to bear their own costs and attorneys’ fees. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: June 17, 2011


The Honorable Maria-Elena James
United States Magistrate Judge

10462337.1 (OGLETREE)